

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

The Cuyahoga Valley Railway Company, et al.

Plaintiff

v.

U.S. Bank Trust National Association, et al.

Defendant

Civil Action No. 5:10-cv-1576

JUDGE SARA LIOI

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* HSBC BANK USA, NATIONAL
ASSOCIATION,
AS INDENTURE TRUSTEE
452 Fifth Avenue
New York, New York 10018-2706

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RICHARD W. CLINE (0068560)
PAUL W. LINEHAN (0070116)
MCDONALD HOPKINS LLC
600 Superior Ave., E., Suite 2100
Cleveland, Ohio 44114
Phone: (216) 348-5400

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

GERI M. SMITH
CLERK OF COURT

Date: 07/16/10

s/ Heather R. Sherer, Deputy Clerk
Signature of Clerk or Deputy Clerk

Civil Action No. 5:10-cv-1576

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* HSBC Bank USA, National Association,
was received on *(date)* 7/23/10 As Indenture Trustee

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____,
a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☒ Other *(specify)*: By Certified Mail, Return Receipt, pursuant to Fed.R.Civ.P.
4(h)(1) and Ohio Rules of Civil Procedure 4.1(A) and 4.2(F)
as evidenced by the attached Certified Mail Return Receipt.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 7/29/10



Server's signature

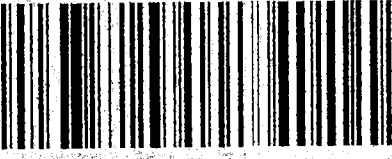
RICHARD W. CLINE (0068560)

Printed name and title

McDonald Hopkins LLC
600 Superior Ave., E., #2100
Cleveland, Ohio 44114

Server's address

Additional information regarding attempted service, etc:

2. Article Number		COMPLETE THIS SECTION ON DELIVERY	
		A. Received by (Please Print Clearly)	B. Date of Delivery
7160 3901 9846 3740 9225		X JACOB WILSON	7-23-10
3. Service Type CERTIFIED MAIL		C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No
1. Article Addressed to:			
<div style="border: 1px solid black; padding: 10px; text-align: center;">HSBC BANK USA, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE 452 Fifth Avenue New York, New York 10018-2706</div>			
PS Form 3811, January 2005		Domestic Return Receipt	

for using Return Receipt Service